



CRM-M-49014-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-49014-2024
Date of Decision: 30.09.2024

Beas Dev
...Petitioner

Versus

Harmesh Lal
...Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present:- Mr. Sunil Agnihotri, Advocate
for the petitioner.

KIRTI SINGH, J.(Oral)

1. The petitioner has filed the present petition under Section 482 Cr. P.C with a prayer to modify the order dated 14.08.2024 (Annexure P-2) passed by the Court of Additional Sessions Judge, Ludhiana to the extent, whereby the petitioner has been directed to deposit 20% of the cheque amount within a period of 45 days.
2. Learned counsel for the petitioner submits that petitioner was convicted for a period of two years under Section 138 of the Negotiable Instruments Act and was directed to pay compensation of Rs. 2,00,000/- under Section 357(3) Cr.P.C. He further submits that petitioner preferred appeal before learned first appellate Court and while granting suspension of sentence learned first appellate Court imposed a condition on the petitioner to deposit 20% of the compensation awarded within 45 days vide order dated 14.08.2020. He also submits that petitioner is a poor daily wage worker and is not in a capacity to fulfill the condition imposed.
3. I have heard learned counsel for the petitioner and perused the record.
4. Learned counsel for the petitioner submits that the impugned

direction, whereby the petitioner has been directed to deposit 20% of the cheque amount within a period of 45 days from the date of order may be set aside.

5.

The prayer is allowed, the impugned order dated 14.08.2023 passed by the Court of Additional Sessions Judge, Ludhiana/Appellate Court is modified to the extent that the petitioner shall not be an under obligation to deposit the 20% of the cheque amount, as directed by the Appellate Court.
6.

With the above modification, the present petition stands allowed

30.09.2024

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Whether speaking/reasoned

Whether reportable

(KIRTI SINGH)

JUDGE

Yes/No

Yes/No